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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

8 TIMOTHY R. KNOX, }
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12 }
vs. }
 GREGG SMITH, *et al.*, }
 Respondents. }

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14 This action is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which
15 petitioner, a state prisoner, is proceeding *pro se*.

16 By order filed September 21, 2012, this Court ordered respondents to file an answer or other
17 response to the amended petition. (ECF No. 8). On November 5, 2012, respondents filed a motion
18 to dismiss the amended petition, which is pending before the Court. (ECF No. 11).

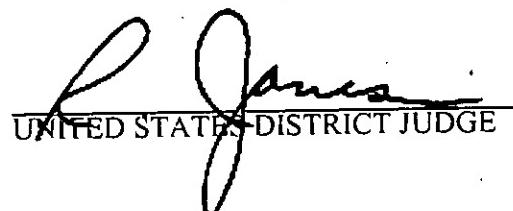
19 Petitioner has filed a motion for entry of default against respondents. (ECF No. 15). Default
20 judgments are not available in federal habeas corpus. *See Townsend v. Sain*, 372 U.S. 293, 312
21 (1963); *see also Gordon v. Duran*, 895 F.2d 610, 612 (9th Cir. 1990). Petitioner's motion for entry
22 of default is denied.

23 Petitioner has filed a motion for an extension of time to file an opposition to the pending
24 motion to dismiss. (ECF No. 17). Petitioner seeks an extension of time up to and including January
25 4, 2013, in which to file an opposition. Good cause appearing, petitioner's motion is granted.

1 **IT IS THEREFORE ORDERED** that petitioner's motion for entry of default (ECF No. 15)
2 is **DENIED**.

3 **IT IS FURTHER ORDERED** that petitioner's motion for an extension of time to file an
4 opposition to the motion to dismiss (ECF No. 17) is **GRANTED**. Petitioner's opposition shall be
5 filed and served on or before **January 4, 2013**.

6 Dated this 15th day of January, 2013.

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10 UNITED STATES DISTRICT JUDGE
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